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PCT #4

PATENT  
Customer No. 22,852  
Attorney Docket No. 8059.0013

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Michael John Christensen et al.	)	Group Art Unit: Unassigned
	)	
Application No.: 10/529,375	)	Examiner: Unassigned
	)	
Filed: March 28, 2005	)	
	)	
For: GRASS ENDOPHYTES	)	Confirmation No.: Unassigned
	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 13, 2005

By:   
David W. Hill  
Reg. No. 28,220

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/529,375
Filing Date	March 28, 2005
First Named Inventor	Michael John Christensen
Art Unit	UUnassigned
Examiner Name	Unassigned
Attorney Docket Number	8059.0013

Sheet 1 of 2

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>8</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>8</sup>
	/	Blank, C.A.; Gwinn, K.D. 1992: Soilborne seedling diseases of tall fescue: influence of the endophyte <i>Acremonium coenophialum</i> . <i>Phytopathology</i> 82: 1089.	
	/	Bouton, J.H. 2000: The use of endophyte fungi for pasture improvement in the USA. In <i>Proceedings of the Grassland Conference 2000, 4<sup>th</sup> International Neotyphodium/Grass Interactions Symposium</i> . Eds. Paul, V.H.; Dapprich, P.D. Universitt, Paderborn, pp. 163-168.	
	/	Bouton, J.H.; Latch, G.C.M.; Hill, N.S.; Hoveland, C.S.; McCann, M.A.; Watson, R.H.; Parish, J.H.; Hawkins, L.L.; Thompson, F.N. 2002: Re-infection of tall fescue cultivars with non-ergot alkaloid-producing endophytes. <i>Agronomy Journal</i> 94: 567-574.	
	/	Elberson, H.W.; West, C.P. 1996: Growth and water relations of field grown tall fescue as influenced by drought and endophyte. <i>Grass and Forage Science</i> 51:333-342.	
	/	Fletcher, L.R.; Easton, H.S.; 2000: Using Endophytes for Pasture Improvement in New Zealand. In <i>Proceedings of The Grassland Conference 2000, 4<sup>th</sup> International Neotyphodium/Grass Interactions Symposium</i> . Eds. Paul, V.H.; Dapprich, P.D. Universitt, Paderborn, pp. 149-162.	
	/	Fletcher, L.R.; Sutherland, B.L.; Fletcher, C.G. 1999: The impact of endophyte on the health and productivity of sheep grazing ryegrass-based pastures. In <i>Ryegrass endophyte: an essential New Zealand symbiosis</i> . <i>Grassland Research and Practice Series No. 7</i> , pp 11-17.	
	/	Gadberry, M.S.; Denard, T.M.; Spiers, D.E.; Piper, E.L. 1997: Ovis aries: A model for studying the effects of fescue toxins on animal performance in a heat-stressed environment. In <i>Neotyphodium/Grass Interactions</i> , Eds. Bacon, C.W.; Hill, N.S. Plenum Press, New York, pp. 429-431.	
	/	Griffiths, A.; Moon, C.; Tapper, B.; Christensen, M. 1999: Non-radioactive AFLP fingerprinting for detection of genetic variation in <i>Epichlo/Neotyphodium</i> endophytes. <i>Proceedings of the 11<sup>th</sup> Australian Plant Breeding Conference</i> .	
	/	Hill, N.S.; Thompson, F.N.; Studemann, J.A.; Rottinghaus, G.W.; Ju, H.J.; Dawe, D.L.; Hiatt, E.E. 2001: Ergot alkaloid transport across ruminant gastric tissues. <i>Journal of Animal Science</i> 79: 542-549.	
	/	Kren, V. 1999: Biotransformations of ergot alkaloids. In <i>Ergot the genus Claviceps</i> . Eds. Kren, V.; Cvak, L. Harwood Academic, Amsterdam, p. 230.	
	/	Latch, G.C.M.; Christensen, M.J. 1985: Artificial infection of grasses with endophytes. <i>Annals of Applied Biology</i> 107: 17-24.	
	/	Leuchtmann, A. 1997: Ecological diversity in <i>Neotyphodium</i> -infected grasses as influenced by host and fungus characteristics. In <i>Neotyphodium/Grass Interactions</i> , Eds. Bacon, C.W.; Hill, N.S. Plenum Press, New York, pp 93-108.	
	/	Moon, C.D.; Tapper, B.A.; Scott, D.B. 1999: Identification of <i>Epichlo</i> endophytes in planta by a microsatellite-based PCR fingerprinting assay with automated analysis. <i>Applied and Environmental Microbiology</i> 65: 1268-1279.	
	/	Oliver, J.W. 1997: Physiological manifestations of endophyte toxicosis in ruminant and laboratory species. In <i>Neotyphodium/Grass Interactions</i> , Eds. Bacon, C.W.; Hill, N.S. Plenum Press, New York, pp. 311-346.	
	/	Rottinghaus, G.E.; G.B.; Cornell; C.N.; Ellis; J.L. 1991: HPLC method of quantitating ergovaline in	

**Complete if Known**

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

2

of

2

Application Number

10/529.375

**Filing Date**

March 28, 2005

First Named Inventor

**Michael John Christensen**

Art Unit

## UUnassigned

**Examiner Name**

**Unassigned**

Attorney Docket Number

8059.0013

## NON PATENT LITERATURE DOCUMENTS

[illegible]

**Examiner  
Signature**

Date  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.